

**ARIZONA STATE PARKS BOARD  
1300 W. WASHINGTON ST., PHOENIX, AZ.  
NOVEMBER 4, 2005  
MINUTES**

**Board Members Present**

Elizabeth Stewart  
William Porter  
William Cordasco  
Janice Chilton  
John Hays  
William Scalzo  
Mark Winkleman (arrived at 10:00 a.m.)

**Staff Members Present**

Ken Travous, Executive Director  
Jay Ream, Assistant Director, Parks  
Jay Ziemann, Assistant Director, Partnerships and External Affairs  
Debi Busser, Executive Secretary  
Dave Pawlik, Park Manager, Patagonia Lake State Park  
Ellen Bilbrey, PIO

**Attorney General's Office**

Joy Hernbrode, Assistant Attorney General

**A. CALL TO ORDER – ROLL CALL**

Chairman Stewart called the meeting to order at 9:02 a.m. Roll Call indicated a quorum was present. She then outlined the reason for this special meeting and the order of discussion to take place.

Mr. Travous stated that it was just brought to his attention that a notice was sent out via E-mail to Mr. Pawlik from the agency's Public Information Officer that this meeting would start at 9:45 a.m. He believes that was the original time this meeting was scheduled for. Mr. Pawlik forwarded that notice to all of the people who commented at the public meetings.

Chairman Stewart stated that the Board had no alternative but to recess the meeting until 9:45 a.m. It is very disturbing that the Board is here for the meeting. It was very clear at the last meeting that the time would be 9:00 a.m.

Mr. Scalzo asked if the Board could have the staff presentation since it would not prohibit any public comment. If the presentation takes 20-30 minutes, there would still be plenty of time for public comment.

Chairman Stewart expressed her concern that a press release was sent out saying the meeting was starting at 9:45 a.m. She asked for counsel's recommendation.

Ms. Hernbrode responded that the official notice does read 9:00 a.m. Officially, under the Open Meeting Law, the Board is OK. She did recognize that it does raise a concern and people might feel that they were deliberately left out of part of the process.

Mr. Travous added that he needed to determine if this was a press release or just something that Ms. Bilbrey sent to Mr. Pawlik.

Chairman Stewart noted that if Mr. Pawlik sent it to other people and it said that the Board meeting would not start until 9:45 she believes that the Board has to wait until 9:45. She doesn't want people to arrive and feel that the Board made their decision or received information that they did not have an opportunity to hear. The purpose of this meeting was to give one final opportunity to people to speak to this issue.

Chairman Stewart recessed the meeting.

Chairman Stewart reconvened the meeting at 9:45 a.m.

Chairman Stewart stated that this meeting was officially noticed for 9:00 a.m. today; however, just as the Board was about to begin the meeting the Board was informed that although Notice of this meeting was legally posted with a beginning time of 9:00 a.m., some conflicting information had been sent out indicating that the meeting would begin at 9:45 a.m. The Board, therefore, did not begin discussion of the single item on the Agenda (to consider boating restrictions at Patagonia Lake State Park).

A second Roll Call of the Board indicated that a quorum was present.

## **B. INTRODUCTIONS OF BOARD MEMBERS AND AGENCY STAFF**

The Board and staff introduced themselves.

## **C. BOARD ACTION ITEMS**

- 1. Boating Restrictions at Patagonia Lake State Park – The Board will hear public comment and consider taking action on the following proposed boating restrictions at Patagonia Lake State Park:**
  - a. Prohibit all above-water exhausted boats on Patagonia Lake;**
  - b. Prohibit all jet skiing;**
  - c. Prohibit all skiing and towing activities**

Chairman Stewart requested any member of the public who wished to address the Board on the above issue to please fill out a Speaker's Form.

Chairman Stewart explained that three years ago the Board met in Patagonia and visited Patagonia Lake State Park. The Board saw the scene of a serious accident where a boat ran up on the shore and ran over two women who were preparing dinner at a campsite. At that time, the Board felt they should explore this issue and requested staff to evaluate whether there should be any restrictions imposed on boating at Patagonia Lake State Park. Over the last two to three years the Board received several presentations from staff, a survey was conducted, and the Board met again at Patagonia Lake State Park and at Cady Hall in Patagonia in July 2005. Prior to that meeting, the Board posted a Notice at the Post Office stating the Board was having that meeting and that the proposed restrictions issue was on the Agenda.

Chairman Stewart stated that, following that meeting, the Board issued a press release informing the public that the Board was considering imposing restrictions; three public

hearings were scheduled during September (at Catalina State Park, at Tubac Presidio State Park, and at Patagonia Lake State Park). Oral and written comments were received at those meetings from people in attendance. The Board also received E-mail comments. All of those materials have been forwarded to the Board. The Board have a rather thick packet that contains the comments and summaries of the three public hearings that were held.

Chairman Stewart then outlined the procedures for this meeting. While the Board is usually rather informal, for this meeting she asked that Board members and staff wishing to speak be recognized by the Chair first. Mr. Dave Pawlik, Park Manager at Patagonia Lake State Park, will give a presentation. Board members will ask any questions they have at that time. The Board will then hear comments from the public. The comments are to be in the form of statements. If there are any questions by Board members of the presenter, they will be asked. Finally, the Board will discuss this issue and decide what, if any, action to take.

Chairman Stewart noted that presentations by the public would be limited to five minutes. Mr. Porter would act as timekeeper. The Board does want to be fair to everyone and allow all those wishing to speak the opportunity to do so.

Mr. Pawlik, Park Manager, Patagonia Lake State Park, reported that he had been asked to present a PowerPoint presentation that the Board saw a few years ago and that was presented at the public hearings held in September at Catalina, Patagonia Lake, and Tubac State Parks. It has been revised a little bit with more graphics. The Board has seen the bulk of the presentation, and it will recap the issues and present a history of the park itself.

Mr. Pawlik reported that in 1968 the dam was built at Patagonia Lake, which is fed by Sonoita Creek (an almost perennial stream). The cost at that time was \$800,000. He noted that today restrooms cost that much. He referred to a slide that was designed to delineate the areas of the lake where "wake" (high-speed travel) is acceptable. This area is on the western portion of the lake. The direction of travel is counter-clockwise. Staff recalculated the areas of the lake. The brochures state that the entire lake is 265 acres. Upon recalculating, the size of the lake is less, perhaps because of flooding over the years depositing silt and sand. The acreage for the wake area is about 91 acres; the "no-wake" zone is about 97 acres and includes a couple of "fingers" that go into canyon areas.

Mr. Pawlik referred to a slide that broke the lake into grids of 100'x100'. He pointed out the wake (fast) area. The wake zone is 91.4 acres (including the islands) or 90.8 acres (excluding the islands). It is a relatively small area that boats can travel at a high rate of speed. Everything else is no-wake (islands excluded, 97.1 acres). The total size of the lake now is 188 acres. The lake has changed dramatically from the original figure of 265 acres.

Mr. Porter asked if acreage has been lost due to drought.

Mr. Pawlik responded that he believed it is due to flooding and the silt and sand that has been deposited on the east end.

Mr. Pawlik reported that the park offers camping (72 regular campsites and 34 hook-up sites along with 12 boat-accessible camps), day use (very popular; during the summer people are turned away), fishing, and hiking. Sonoita Creek Natural Area is located at the park.

Mr. Pawlik noted that the issue is Water Sports. Anything can be done at Patagonia Lake State Park from paddle boats, kiaks, and all the way up to the high-powered V8 jet boats. Skiing is permitted; jet skiing is permitted – both in the wake zone only. There are a number of other restrictions.

Mr. Pawlik reported that part of the controversy with the jet boats is noise. The lake is in a canyon, surrounded by rock walls. When one of these boats with above-water exhaust stacks is running, everyone in the park is aware of that boat, even if they are indoors.

Mr. Pawlik reported that safety is another issue. The safety track record at Patagonia is very good. There have been some people airlifted out and there have been some very close calls. To his knowledge, there have been no fatalities on the lake.

Mr. Pawlik reported that in 2004 there were more than 200,000 visitors. The high was 210,000-212,000. Revenue is up over \$500,000. Visitation by type is Fishing – 30%; Camping – 11%; Boating – 18%; Bird Watching – 8%; Water Skiing – 3%; and Jet Skiing – 2%. These figures represent the main reason people came to the park. He noted that as Tucson and Sierra Vista continue to grow attendance will increase.

Mr. Ream added that, from the Arizona State Parks Visitor Survey, the top activities top-to-bottom are: sight-seeing; hiking; picnicking; nature study; fishing; boating; swimming; personal watercraft riding.

Mr. Pawlik noted that it is interesting that the top reasons people come to Patagonia Lake State Park all have to do with nature. He noted that 52% of visitors are Arizona residents; 6% are international. The median age of visitors to the park is 53; 53% are female; 47% are males; Whites are 94%; Hispanics are 3%; Retired are 53%; Employed are 38%; College are 41%; Attended Graduate School are 30%; High School are 28%. He noted that the average annual household income is between \$45,000 and \$55,000.

Mr. Pawlik reported that a survey was conducted in 1994 that just asked for comments. He went through those comments and pulled out those that related to Water Sport activity and whether they were negative or positive. It was very unscientific. From that survey, 80 comments were made to eliminate or restrict this activity to a further degree while 65 said that they did not want any changes. One specific question was included on the survey: Would you prefer Patagonia Lake to be designated a no-wake lake? The majority responded that they did not want that; they want an area open where they can travel fast.

Mr. Pawlik noted that staff were asked to do another survey in 2003. This survey was conducted by Research and Marketing staff. They came to the lake from December to June 2003. They dealt with four of the pertinent questions:

1. Is Patagonia Lake too small for above-water exhausted boats? They broke out the weekday visitors from the weekend visitors. The majority responded that it

is too small: 48% of the weekday visitors compared to 34%; 52% of weekend visitors of weekend visitors compared to 20%.

2. Is Patagonia Lake too small for personal watercraft use? Weekday visitors responded yes 45% - yes; 36% - no. Weekend visitors responded 43% - yes; 36% no. Again, the majority responded that they thought it was too small.
3. Should above-water exhausted V8 jet boats be prohibited at Patagonia Lake? Weekday visitors responded 48% - yes; 30% - no. Weekend visitors responded 48% yes; 28% no. Again, there seems to be a large majority who don't want the loud jet boats there.
4. Should personal watercraft be prohibited at Patagonia Lake? Weekday visitors – 48% yes; 34% no. Weekend visitors responded 44% yes; 36% no.

Mr. Pawlik noted that there should have been something in that survey regarding skiing activity on the lake. For some reason, he could not find that information in the statistics from the 2003 survey. Of the 90 comments received concerning this issue, people want skiing activities to remain in place by a margin of about 60% to 30%.

Mr. Pawlik discussed accident statistics. There have been 12 jet ski collisions; single jet ski accidents (could include falling off the jet ski, just bumping one's head on the jet ski or being injured by hitting the water) – 4; boat collisions – 6; sunken boats – 2; injuries requiring evacuation (air or ambulance) – 10; and deaths – 0.

Mr. Scalzo asked if there have been any drowning deaths.

Mr. Pawlik responded affirmatively. Some were boat-related by simply falling off of a boat – they were not due to collisions.

Mr. Pawlik stated that he was requested to give recommendations to the Board. His recommendations are:

1. Prohibit all above-water exhausted boats at Patagonia Lake;
2. Prohibit all personal watercraft at Patagonia Lake; and
3. Prohibit all skiing and towing activities at the lake.

Mr. Pawlik noted that the following current regulations are in place at Patagonia Lake: Jet skiing and skiing opportunities are banned on weekends and legal holidays from May 1 to October 1. Today, one can ski and jet ski at any time.

Mr. Scalzo asked how often the islands “pop up”. He also asked if there is a buoy system throughout the lake to identify areas that may be shallow or unsafe.

Mr. Pawlik responded affirmatively. There are hazard buoys throughout the lake. There are submerged boulders and rocks that become dangerous as the wake level declines. The islands themselves are not marked with buoys. They are above-water and people can see that they are a hazard.

Mr. Scalzo asked if there are any commercial boating operations on the park that would rent jet skis.

Mr. Pawlik responded that there is a concessionaire on that park, but jet skis are not available for rent at the park. The concessionaire rents row boats, paddle boats, and canoes. Some commercial jet ski distributors occasionally come to the lake to test-drive their jet skis with potential clients.

Mr. Hays asked for the definition of "personal watercraft". He asked if that included kiaks and canoes.

Mr. Pawlik responded that personal watercraft are motorized. One typically thinks of personal watercraft as being a jet ski. The legal description is that it is a vessel that is not sat inside of; it is straddled or stood upon and powered by a jet motor.

Chairman Stewart asked if that is the same as Skidoos.

Mr. Pawlik responded affirmatively.

Mr. Hays asked what the breaking point is between jet skis and fishing motors – the size of the motors.

Mr. Pawlik responded that currently staff are not recommending a horsepower restriction. The lake is divided into two halves. Once one is on the eastern portion, even if they have 200 horsepower motors they must travel at a no-wake speed.

Mr. Pawlik reported that approximately 95 comments were received from this last round of public hearings. Some of them were difficult to determine whether they were for or against changing the rules. As he reviewed the comments, wherever there were comments that said they didn't want jet boats on the lake but didn't list anything else, he listed it that way to get a feel for how the comments fell out. Proportionately, of the jet ski issue, he counted 73 comments. Of those comments, 73% said they did not want jet ski activity at the lake as opposed to 43% that wanted jet ski activity to remain as it is. On the jet boat issue, he collected 65 comments. Of those comments, 66% were to eliminate jet boats entirely and 33% were to keep jet boats as they are under the current restrictions today. Regarding the skiing issue, he collected 65 comments. Of those comments, 40% were not in favor of allowing skiing on the lake, while 60% of the comments want skiing to remain at Patagonia Lake under the current restrictions. The majority were in favor of skiing, but against jet boating and jet skiing as they exist today.

Mr. Winkleman noted that it appeared they want skiing but no boats.

Mr. Pawlik clarified that high-horsepower boats are not being considered; staff are just talking about the jet boats with the above-water exhausts.

Chairman Stewart asked how fast boats typically need to go to tow a skier.

Mr. Ream responded that a boat typically needs to go at least 18-20 mph to water ski. It depends on weight, size of the ski, etc.

Chairman Stewart asked if it's different at different lakes. She asked the same question at Parker and was told it would be around 30 mph.

Mr. Ream responded that one would have to get up to 30 mph to ski, but wake boarding is a slower speed activity. To barefoot, one has to go 40 mph to get his/her

feet on plane. There are a number of water activities. If there are 3 people in an inner tube, it will be heavier to get it up and skipping along the water and the boat has to go faster. If there's one person in the inner tube, the boat can go 18-20 mph. On a water ski, it depends on the size of the ski. If one is slalom skier, the boat has to go about 30 mph. If one is a recreational skier, 30 mph is very fast.

Mr. Porter noted that he has had some experience in towing. When he's towed people, he very seldom got higher than 20 mph.

Mr. Winkleman asked how these responses were collected.

Mr. Pawlik responded that he handed out forms at the public meetings that included the Phoenix Office address. He encouraged everyone to send them to Phoenix. They were then forwarded to the Board. He collected some that were left at the meetings and he forwarded them to the Phoenix office.

Mr. Winkleman noted that people would have had to attend the meeting to know that the Board was accepting comments.

Mr. Pawlik noted that there was some publicity as well in the newspaper and on television. People could go to the website to comment as well.

Mr. Winkleman noted that sometimes groups will make up a form letter and ask people to sign them and send them in. He asked if any form letters were received.

Mr. Pawlik responded he didn't see any of that. They were all individual comments.

Chairman Stewart noted that there were as many as three from the same family or same address. However, there did not seem to be any form letters.

Mr. Pawlik added that even the family members wrote individual statements.

Chairman Stewart stated that the Board would now hear from the public on this issue.

Chairman Stewart recognized Mr. Mark Dominice. Mr. Dominice deferred at this time to Mr. Cowdry.

Mr. Tom Cowdry addressed the Board. Mr. Cowdry thanked the Board for holding this meeting today at this location so the public interested in this issue did not have to travel all the way to Alamo Lake State Park. He stated that he is married to the concessionaire at Patagonia Lake State Park; however, he would be here even if that were not the case and saying the exact same things. He is not representing the contractor who has the concessionaire. He stated that all of his children were introduced to water skiing at Patagonia Lake State Park. They found it a wonderful opportunity. They usually ski on the lake on Tuesday afternoons. His children have also been down there as late as mid-December and once as late as January 1. They are often the only people on the lake that actually water ski. The park is small; he is aware of that. He meant to bring along two magazines, Trailer Boat Magazine's September and October 2005 issues, which point out the high demand, as more and more people become involved in boating and jet ski activities. Lakes throughout the country are being pressured to solve the problem. He understands that the Board is concerned for safety issues at the lake. There are means for limitations in order to continue to provide these opportunities. He stated that the survey did not really relate too much to skiing. They filled those surveys out

themselves. He is somewhat ambivalent about jet skis. He believes that, with the current restrictions, it might be appropriate to apply a quota to water skiing and jet skiing. It has been his experience that water skiing, left with the current restrictions, rarely would need any type of quota limitation on weekdays. People just don't travel down there in the afternoons to water ski on the lake. He noted that the jet boats are, in his view, really designed to operate on long lakes where they can actually get up to speed. When they talk about "above-water exhaust", it is important to understand that these are incredibly large race type motors; they are not propeller-driven. They literally fly. He has ventured out on Apache Lake and seen them going 110 mph. That is an appropriate place for them; they have 17 miles of lake to operate on. Patagonia Lake is kind of absurd for that type of activity. He stated that he has seen 300 horsepower motors on some of the fishing boats (Tritons and other boats that are 22' in length). Those folks can get up to 75 mph even on Patagonia Lake. Skiing is usually a low-speed operation. Skiers are not swimmers because they have spotters, they have life vests, they have regulations that most ski people are very sensitive to in order ensure the safety of the skier at all times. He does believe some limitation is appropriate on jet skis. It might be important, or even necessary, to impose quotas but still allow jet skiing. When it gets real crowded, people forget the distance requirements. Jet skiers like to go in tight circles. They aren't always really aware of their surroundings. He knows these are issue of concern to the Board and the Arizona State Parks' staff. He believes that if the staff could find more opportunity to monitor the water on busy weekends it would be helpful. He knows that's a funding issue. Everyone needs to be aware that legislation has a lot to do with the Board's funding issues. They need to combat that to ensure that State Parks has enough money to operate these lakes in a safe manner. He stated his appreciation for the consideration the Board is giving to the public in hearing these comments on how to continue the use of Patagonia Lake State Park in a safe way. He believes it can be done with a little more control and still provide opportunity.

Theresa Cowdry addressed the Board. Mrs. Cowdry stated that she manages the concession at the park. When she first found out about this she was concerned that it might have a negative impact on her revenue. As she thought about it, whatever changes that do go into effect, there will be a slump in her revenue as well as in attendance at the park. It is a highly populated area. People recover from changes pretty quickly there. She doesn't think there will be any long-term affect on the agency's revenue. She stated that she feels it is a wonderful little spot. It is delightful. She has enjoyed camping and boating and working there. She would like to see it remain available to as many boating activities as possible as well as bird watching and the many other facets. It is close to the Tucson area. She noted that, for safety reasons, the lake could be restricted so skiers and jet skiers are not on the lake at the same time. She has noticed that when they've been on the lake there is more of a safety risk when jet skiers are placed with water skiing and towing.

Ms. Norma Miller, Southern Arizona Paddlers Club, addressed the Board. She noted that they are port-based at Patagonia Lake State Park. They presently have about 60 or so members in their organization. Three of their Board members are present at this meeting. They do represent a cross-section of the hand-operated personal watercraft



population in southeastern Arizona. They operate kayaks, canoes, rafts, etc. They do not operate any motorized craft. They find that their home port – Patagonia Lake – is very important to them as far as having a safe and healthy environment, as well as being a place for people to congregate and engage in other types of things like camping, fishing, etc. These issues that are being discussed are of major importance to them. She would like to address lake pollution. She doesn't know if it is measured in any way. She doesn't believe she heard anything about that in the presentation. It has been their experience that while picnicking and floating or paddling around the lake, they have had to deal with a lot of pollution. This is a pristine environment. A lot of people go there for bird watching and fishing hoping to be in a pollution-free environment. It has progressively gotten worse as the years have gone by, especially with the onset of the highly-exhausted motorized craft that are now seen more and more in the area. She believes, generally speaking, those craft are larger and create most of that pollution along with the jet skiers. For some reason, the Skidoos or the jet skis produce a lot of pollution, even when compared with the larger craft. She doesn't understand it, but that's what's happening. They have the ability to get into small cove areas. Even when they come into a no-wake area, they produce lots of pollution. They will come into the picnic areas where people are camping. They create noise and pollution. There are two problems to deal with. Another situation she did not hear discussed are the oil slick and gas slick pollution in the lake itself. The lake is coming in from Sonoita Creek. This is pure, unpolluted water as far as chemicals are concerned. There are wildlife in the area; there are cattle in the area. As far as chemical pollution is concerned, she has seen oil residue on their kayaks when they bring them out of the water. She is concerned about that; people do swim in the area. No one knows where that pollution will lead. She noted there was no mention made in the presentation as to why that accident on the island occurred. She asked if there has been any survey on people who have been cited or arrested for drunk driving while operating a motorized boat on the lake. This is important because, as in automobiles, they cause accidents regardless of whether restrictions are in place. She has seen more and more of this. As a group, they pick up litter every year at the lake. They pick up so much alcohol-related trash. She can understand how an accident could easily happen on the lake, especially with motorized craft. She wanted to address those issues. She stated that there are other areas for these folks with large motors. They can go to the lakes near Phoenix, the Sea of Cortez, and the Lower Colorado River. She stated her appreciation to the Board for taking the time to listen to their issues and expressed her hope that everything will be happily arranged for everyone.

Mr. Darrell Bishop, Southern Arizona Paddlers Club, addressed the Board. Mr. Bishop stated he is a native of Arizona, originally from Yuma County. He has been a resident of southeastern Arizona since 1958. He is a paddler and a member of the Southern Arizona Paddlers Club. He owns a circle paddle craft. He is also a fisherman and a wildlife photographer and a painter. He has been a regular visitor to Patagonia Lake since shortly after the state took over the operation of the lake. He continues to visit the lake at least 2-4 times a month, more so in the warmer months than the cooler months. In the last 3 years he has noticed an increasing number of gas-powered boats on the lake, including but not limited to the ski boats, jet skis, the mega-powered fishing boats, and the inboard racing craft being discussed. On some days the noise on the west side

of the lake is absolutely deafening. And, there are exhaust fumes and oil slicks in the water. As for safety, as a paddler he has two options. He can paddle in the wakeless east end of the lake or he can hug the shoreline of the west side and pray that he'll get home. The gentleman who spoke earlier stated that during the week there is less boat activity. He is right. But, as for safety, there is no question that when there are water skiers on the lake they cannot see everyone at the same time, especially the low-profile paddle craft. They have had several incidents where they were close to being run over by skiers. At one point, one of their members had to take a dive to avoid being run over by a skier. It was also mentioned that there is an increased demand for water skiing opportunities. It has been their experience that there is an increased demand for quiet time and quiet areas on lakes just like Patagonia Lake. As a fisherman, he knows that it's important to have a place that is close by. He noted that the statistics showed 30% of the lake's visitation is fishermen. They love fishing, too. They fish from their kayaks. For that reason, he stated he is in favor of all three of the recommendations presented to prohibit above-water exhaust boats, prohibiting jet skiing, and prohibiting all skiing and towing activities. However, he stated he would like to see an addendum to the recommendation that all powerboats on Patagonia Lake be restricted to a single electric motor. There is no place on the lake that fishermen cannot reach within 5 minutes or less. That would eliminate the problem with safety. Fishermen would still have access. There would not be a problem with collision. As for pollution, it would eliminate that issue. He is looking forward to a quiet area. They believe that more people would be attracted to Patagonia Lake as a result of these prohibitions once word got out to more than make up for the loss of the jet skiers and water skiers and as far as income goes for those who have concessions at the park.

Ms. Kristin Stramler, Southern Arizona Paddlers Club, addressed the Board. Ms. Stramler stated she has lived in Tucson since the 1970s and loves to hike and is an outdoors person. A few years ago she took up paddling – kayaks, canoes, etc. She enjoys it very much. She goes to Patagonia Lake sometimes. She avoids weekends because weekends are very noisy. She likes to go on weekdays and enjoys bird watching, hiking, and paddling her kayak or canoe on the lake. She has some concerns for the lake area. In looking at the lake and the wildlife, she believes there needs to be a plan that involves usage practices on the lake for the long-term – not just for now – because we do need to look at the health of the lake. They see gasoline on the lake and on their kayaks when they remove them from the lake. The pollution is not limited to oil slicks and gasoline; the noise is very bothersome. A lot of them do come to the lake for peace and quite. In a kayak, it is very quiet and peaceful. They like to paddle around the lake. They go to the no-wake zone, but they also like the area where the wake is allowed because of its beauty. There is an arm of the lake that can only be accessed by going through the wake zone. The island where the accident occurred a few years ago is surrounded by the wake zone. It can be dangerous for paddlers. Sometimes, people who come in watercraft have no idea that there are regulations in place. If they see a kayaker, for instance, they are supposed to slow down and stay a certain distance away. Some either don't seem to know that or don't seem to care. The Paddlers Club volunteers twice a year for clean up. They paddle around the lake and pick up trash and work with the park staff to dispose of the trash. They did this a month ago and one of their members watched two teenaged boys in a kayak (who were

helping and having a good time) as a motorboat came by and got so close that it created enough of a wave that that kayak turned over. She doesn't think the motorboat even noticed; he certainly did not slow down or stop. She doesn't believe he was even aware of the kayak being in the water. If boaters are going to be allowed on the lake, they should have to pass a test and carry a card that states their agreement to abide by the regulations. The best thing would be to remove them from the lake completely, not just for the noise and pollution but for safety as well. Motorboats tend to go too fast; some do not follow the no-wake zones. She agrees that electric motors would be an option because they wouldn't make the noise, they wouldn't make the pollution, and they don't go that fast. A fisherman who wants to go somewhere could still get there and enjoy the other end of the lake as he fishes there. That type of craft sees the smaller craft. She asked that the Board consider her suggestions. It is wonderful to go to that lake; it is a very nice recreation area. Her idea of recreation is peace and quiet and the ability to enjoy the wildlife and birds. She added that the club members also go to Patagonia Lake to practice water safety. Some of them go to Lake Powell in their kayaks. They need to learn what to do if the kayak turns over (how to get out and back in the craft). She thanked the Board for listening and for their consideration.

Mr. Royce Davenport, President, Southern Arizona Paddlers Club, addressed the Board. Mr. Davenport stated that his interaction with Patagonia Lake goes back to the 1970s when he first started frequenting the park and came to the realization that it was a pretty special place. It was mentioned earlier that the lake is fed by a stream and that water stays reasonably clean year-round because it is constantly flushing itself. It is a great place to go. As mentioned earlier, they do a clean up at the park. October 2005 was their fifth year to assist the park staff by covering the shores of the lake. They usually come after the Labor Day entourage has passed through. For the second year, they have cleaned up after the Easter weekend when the lake also receives a lot of activity. He shared a photograph of last year's clean-up volunteers with the Board. He noted that they are a group of people with an environmental leaning who recognize the beauty and specialness of that area. They have committed to working to preserve that in the best fashion they can. That body of water is there for multiple use; however, going back to the 1970s he sees a great increase in population. There is a lot more motorized water traffic at that lake. At the same time, with the growing population base, there is a greater interest in paddle craft and moving about in a low-impact manner. The lake is becoming recognized, partially through their activities, as a great place to go and engage in that kind of activity. When they perform their clean-ups, they receive interest from other clubs in the state (the Prescott area and Yuma) to assist in the clean-up. The lake, in that respect, is enjoying a transition to a place that people think about as a destination for that kind of low-impact activity. In respect to Ms. Cowdry when she mentioned her concerns about a shift in use causing an economic impact, there is an old adage about one door closing and another door opening. If there is an activity change, it just presents greater activity for other interests. They are environmentally based and concerned about protecting the lake and its environment. He noted that they have lost, to some extent, two bodies of water in the area – Pina Blanca and Blanca – that now have restrictions around fishing because of the mine tailings and the mercury content in the water. Granted, boats can still be floated on them. However, it is the lessening of a rare environment in Arizona – a body of water. While there is nothing to

worry about concerning mercury in Patagonia Lake, there are things that come with greater usage of water craft. They would like to see that lake kept as pure as possible. They are more than willing to join the agency in that effort. He thanked the Board for listening. He noted that at the last clean-up they handed the feed-back forms out. There was a fair amount of hesitation about signing them because kayak users consider them to be personal watercraft. He believes more people would have commented if they had known the definition of "personal watercraft".

Mr. Mark Dominice addressed the Board. Mr. Dominice stated that he would like to address some comments that were made. He is a Santa Cruz resident and business owner. He does believe there will be an impact if water skiing and wake boarding are no longer available at Patagonia Lake. If this recreation is removed from Patagonia Lake, the nearest lake will be at least 220 miles away in the Phoenix area. For anyone who is a Santa Cruz County resident, or even a southern Arizona resident, it is not really a day trip. We're talking about 3.5 hours towing a boat up to a Phoenix lake. That is a big issue. Typically, the routine for people who come to ski or wake board at the lake is to travel through Nogales or Sonoita and Patagonia. They fill their boats up with gas and they fill up at local convenience stores and supermarkets with things to take to the lake. There will be some economic impact when taking those activities away. It is a very small body of water, and some of the issues relate to safety. He wished to speak up for the water skiing and wake boarding community. There is a reason that the lake is segregated. The water skiers have abided by the restrictions on the weekends and the no-wake areas when they are skiing responsibly. It appears that the sources of conflict come from the fishermen getting too far into the wake lanes or the skiing lane and, with all due respect, the paddle boats coming out to get to a no-wake area. If they could abide by the restrictions as responsibly as the skiers do, there would be far fewer conflicts and potential accidents. The wake is too small for the powerboats. The jet skis are a big problem. Specifically, the least maneuverable vessel has the right-of-way on the water. That is the rule of the road and means that jet skis, in most cases, are always the ones who have to defer to the other vessel. They will get behind a ski boat in order to jump the larger wakes. They will move around the lake but not in a counter-clockwise fashion. It does create a lot of problems for skiers and wake boarders.

Chairman Stewart asked for comments from the Board.

Mr. Porter stated that, of everyone on the Board, he has probably pushed the hardest to bring this issue to a head. He believes he has preached or griped about getting something done to take a hard look at the pollution and safety issues at Patagonia Lake since the Board met down there several years ago. Everyone is correct. It is just too small of a lake to be used in the fashion it is currently being used. He believes the pollution issues are really significant. One of the speakers expressed surprise that the jet skis and that ilk of craft are probably greater polluters than the larger boats. From every experience he's had in Mohave County where they have boats on boats and 1,000 miles of shoreline that all get used, the bottom line is that jet skis are very inefficient reciprocal types of engines and put out an incredible amount of fumes. They are similar to the little motorcycles in some of the Asian cities that put out huge clouds of blue smoke wherever they go. When he's been at lakes, he hates being around jet skiers because of

not only their pollution but they have a tendency of being like water-locked sea gulls trailing in the aftermath of boats, jumping the wakes and, in many cases, creating a real hazard. His feeling, from the beginning, has been very strong that the Board really needs to pass these restrictions. He would like to hear from some of the other Board members about their feelings on the skiing and towing activities. That is the one area where he might have a slight change of thought. His real problem is that it would be so easy if this was one of several lakes in the southern half of the state that could handle reasonable skiing and towing activities. Unfortunately, it's pretty much the only show in town. It is a long way from down there to Phoenix. Even the people in Tucson could zip up the freeway and bypass most of Phoenix now to get to the lakes. He still has hard problems with the safety issue of the skiing and towing because that lake is just so small. He believes there will be more and more of a demand for that activity.

Mr. Hays asked what the rules are at Parker Canyon Lake.

Mr. Pawlik responded that he believed they are limited to 8 horsepower motors; no skiing. It is a much smaller lake.

Mr. Hays stated that he does believe Patagonia Lake is too small for the big boats. However, it is a long way for them to travel. He asked what the driving time is to Rocky Point.

Mr. Pawlik responded that it is about 5 hours. The nearest lake would be a 3.5 hour drive.

Mr. Hays asked if there were any other recommendations from staff that the Board hasn't heard.

Mr. Travous responded that this meeting has been the most civil public involvement meeting over a potentially very contentious issue he's been involved in. He thanked the Board for coming back and having a meeting in Phoenix to address this issue; he thanked the Research and Marketing staff for the information they provided, he thanked Mr. Pawlik and Mr. Ream for the presentation they put together; and he thanked the public who helped clean up the lake. He noted that staff did not address this issue from a noise or pollution standpoint. This was a safety issue. It is interesting that everyone on Executive Staff agrees that the above-water exhausted craft need to be removed from the lake. That approach softened for jet skis and for towing. Staff do not know that they have made the case for prohibiting jet skis. In the slide in the presentation that detailed the grids, each square was 100'x100'. If there is a boater with a ski rope behind, it adds 100' on to it. Those squares that are moving around become hazard areas. That's where the conflict between the jet skis going across them arises. Staff are not comfortable that they have made the case for prohibiting jet skis and will leave that up to the Board.

Chairman Stewart noted that the Board received a large number of comments regarding jet skis from the public. She and the Executive Director had a discussion yesterday where he raised his concern. She spent about 3 hours going back through the comments. Jet skiers were prominently mentioned as not following the rules, causing near accidents with a variety of craft, and the pollution issue was mentioned.

Mr. Travous noted that the issue with jet skis is the 2-stroke vs. the 4-stroke engines. The in-board/out-board engines are generally 4-stroke engines. The 2-stroke engines mix the oil with the gas so when the oil is burned, the gas is being burned as well. In the 4-stroke, it is contained so they don't have the pollution factor. There are some states that have prohibited 2-stroke engines for that very reason. That is not the case in Arizona.

Mr. Cordasco stated that he's not clear about that park's ultimate Mission and Goal as a State Park. Someone talked about it being a multiple-use park. The environment was discussed. The growing population in the area was discussed. From an agency perspective, what is that resource going to provide in the future? He believes this is something the Board will have to look at. Some of these issues would be answered through that process.

Mr. Travous responded that that area is a powerful area for birding. When a new bird is sighted people literally come from all over the world to Patagonia within hours sometimes. There is an economic impact from that. Boating, skiing, and jet skiing represent about 5% of the visitors, or \$30,000 worth of revenue. At the same time, people are turned away from the park during heavy weekends. He doesn't know if the economics would be much of an argument. He believes that, rather than a multiplicity of uses, fewer uses could be focused on and the park would still fill up because the area is growing in population.

Chairman Stewart noted that the Board also needs to consider that this is the starting point of the Sonoita Creek Natural Area and is adjacent to the Coal Mine Spring area that the Board is managing for Game and Fish. The Board does have a mandate to protect the natural resources of those two natural areas.

Mr. Cordasco referred to the statement of turning people away on weekends. He asked if there are a certain number of big boats, a certain of jet skis, a certain number of water skiers that at any given time can be on the lake.

Mr. Travous responded that there are calculations for safety on water that are handled through the National Recreation Parks Association. Basically, they say that 20 surface acres are needed for boating and skiing; for fishing, 1/2 a surface acre is needed. At Patagonia Lake and Roper Lake, staff look at the type of use the lake is getting and restrict the land base to ensure the capacity exists on the lake. As the parking lot fills up, the capacity of the lake is filled up. Staff restrict the capacity on the land side based upon the lake side. When one gets full, the other is getting full, too. It might be that if that much lake as been lost, we are above capacity.

Mr. Hays asked what percentage of usage is jet skiing.

Mr. Travous responded jet skiing accounts for 2% of usage on the lake.

Mr. Hays asked what would happen if one weekday was set aside for jet skiing and water skiing.

Mr. Travous responded that it would be hard to get the word out. In 1989 staff divided the lake in half and made weekdays just for jet skiing and waterskiing. That was contentious enough back then. The jet ski industry from California came after the

Board. He is amazed that did not happen this time. He doesn't know if they just don't care any more or if they see the writing on the wall. He is surprised there's not been a big push from them.

Mr. Scalzo stated that he doesn't believe that the paddlers realize that a couple of meetings ago this Board approved funding to create a dock facility at Lake Pleasant for paddle boats. Even though it was somewhat controversial, the Board supported that project. It made him feel good to hear the speakers today talk about the importance non-motorized craft on the lakes. He stated that he has to agree with the Executive Director. He believes there is a great case made for prohibiting all of the above-water exhausted power boats. They make no sense at Patagonia Lake. He believes the argument gets weaker for the jet skis and the skiing and towing activities. He is really concerned about the water skiing and towing activities. It's a good sport; it keeps people physically fit; it's a fun thing for families to do. His experience has been that it's enjoyed mostly by families. He has reservations about just eliminating that. He has less of a problem eliminating jet skis. He hoped that the Board could hold off on that prohibition.

Ms. Chilton agreed that the above-water exhausted boats should be taken off the lake. She felt other rules and regulations should be set for the jet skis and skiing and towing activities and allow them to remain on the lake. They are only on one end. She was on the no-wake end of the lake and it was lovely. She was able to see and enjoy the birds and wildlife.

Mr. Porter stated that he would make a motion to begin the process. In response to Ms. Chilton's comment, he maintained that the lake is simply too small. He believes they also pose a significant pollution issue for purposes of protection of the natural areas.

#### **Board Action**

**Mr. Porter:** I move that, effective December 1, 2005, the Board will prohibit all above-water exhausted boats on Patagonia Lake and prohibit all jet skiing.

Mr. Hays seconded the motion.

Ms. Chilton stated that she is not comfortable with that motion because people who own jet skis put a lot of money into them and live so far from water that it's difficult for them to use their jet skis.

Mr. Hays stated that Ms. Chilton made a very good argument. The distance those people will have to travel and the investment they've made, it seems unfair to say they can never again go there. He wished it were possible to have one day a week when they could use the lake. Unfortunately, it would increase the cost of monitoring and policing the park.

Mr. Cordasco referred to the safety issue, which he believes is the Board's main concern, and asked if removing the large power boats eliminates a large portion of the safety issue concerns.

Mr. Pawlik responded negatively. It only takes one V8 jet boat to effectively create a hazard on the lake and to ruin or reduce the quality of everyone else's experience. They account for a very low usage of the park.

Mr. Cordasco asked if the jet boats were removed, allowing the jet skis and skiing and towing activities on the lake, if a significant portion of the safety issue relieved.

Mr. Pawlik responded that the most common objection he has received in his office from furious customers concerned jet skiing. It is an activity that revolves around speed. A fisherman with a fast boat has a destination in mind – he's going fishing for the day. A jet ski is there to seek out opportunities to run what is more or less a racing machine. Most of the safety concerns from these three issues arise from jet skis. Granted, a lot of them are the mingling of jet skis with the skiing activities. It creates a great hazard.

Mr. Winkleman asked if it is that some of the people are angry or is it the noise and pollution. What is it about jet skis that annoys? Two percent is a pretty small number. Is it a safety issue or a noise issue.

Mr. Pawlik responded that the number one complaint he gets is that they got too close; they splashed water.

Mr. Winkleman noted that it's more of an annoyance than a true safety issue.

Mr. Dominice stated that, for example, they get behind a skier. If that skier goes down, there is very little room to react. They could run over the skier.

Chairman Stewart requested that the members of the public not make comments unless called upon to do so.

Chairman Stewart suggested that the written comments indicated a lot of concern about the jet skis. She read one that referred to fear of collision from wake jumping jet skis. The person stated he/she personally witnessed three such collisions at Patagonia Lake. She noted that there are numerous such comments and they do seem to focus on near collisions and the people are frightened by them.

Mr. Porter stated that he is more concerned about the jet skis than he is about the above-exhausted jet boats that everyone agrees should not be on that lake. The same argument could be made about them regarding investment. They put even more money into those machines. However, it is just not an appropriate lake for those two types of activities. If they are, in fact, impacting everyone else who is coming to the park to enjoy the lake and engage in activities that do not pollute and create noise and risk, he feels strongly that both of those two activities have to go.

Mr. Hays referred to Mr. Scalzo's comment about the Board putting a lot of money into a training program at Lake Pleasant for water safety. He suggested requiring anyone who uses Patagonia Lake to have a certificate of completion of a safety course at Lake Pleasant before they can use the lake.

Chairman Stewart suggested that a safety course does not cover the people the Board has the most complaints about.

Mr. Winkleman asked if it is a fair summary to say that a good proportion of the number of the complaints that come regarding jet skis represent a very small percentage of the users.

Mr. Porter responded that is a fair statement.



Mr. Winkleman noted that the park is not really supplying this use in any great fashion; 2% is nominal. It's causing a lot of problems. He is somewhat torn. Mr. Scalzo noted that skiing encourages family activities. From his own experience, he tried to take his children out in the summer to water ski every year since they've been in the water. That worked for a while. However, once they reached 13 or 14, they had no interest in water skiing. They would only go to the lake if he would get them jet skis. Jet skis turned out to be their family activity because the children did not want to water ski. He does worry about it, but it sounds like the magnitude of the problem is coming from a very small user.

Chairman Stewart noted that the Board had a presentation prior to Mr. Winkleman's arrival. She felt it was fairly compelling. She had asked staff to come up with a calculation of the actual area of the lake available for the various activities. It is actually less than half of the area that is usable for the jet skis and the water skiing – only 90.8 acres. In the middle of that area is an island as well as other obstacles from time to time. The configuration is not such that one can actually see the entire area. There are restrictions in place at Fool Hollow Lake, in fact there are more restrictions in place there. Even though that lake itself is a little smaller than Patagonia Lake, the area that is available for these activities is probably larger.

Mr. Travous added that Fool Hollow has a horse power restriction.

Chairman Stewart called for a vote on the motion on the floor.

The motion carried 5 to 2 with Ms. Chilton and Mr. Scalzo voting Nay.

Mr. Porter stated that he came to the meeting today fairly well convinced that the Board should take skiing off Patagonia Lake. Deep down inside, he still feels the same.

#### **Board Action**

Mr. Porter: I move that the Board prohibit all skiing and towing activities at Patagonia Lake State Park effective December 1, 2005.

Mr. Winkleman seconded the motion.

Mr. Porter stated that he is torn. He doesn't have any doubt whatsoever in his mind that it shouldn't be going on there. The lake is too small; it's not safe; someone will be killed there sooner or later; there's going to be a problem. There will be more and more of that activity going on. He thinks it will interfere more and more with the ecosystem as time goes on. That's the dilemma. It seems that the right thing to do has got to be to protect the asset. It's a marvelous asset. It's a one-of-a-kind resource in southern Arizona. But, it's the only lake where they can water ski. It seems like it's just not an activity that is appropriate for that lake, especially as time goes on. As painful as he finds it to be to have to tell people they will have to travel an extra 100, 200, 300 miles or whatever, to water ski, and in the end it has to be a little longer day to get to the Phoenix area, hopefully they will have a really good water skiing experience.

Mr. Hays asked if it has to be either or. He asked if it's not possible to have one day – a weekday – per week devoted to this activity. Staff can see how it works and if it turns out there continues to be accidents and problems with pollution, the Board can then eliminate this activity from the lake as well.

Mr. Travous responded that that is certainly a possibility. It would take some time to figure out what day and make it work. The current restrictions are Monday-Thursday and Friday if it's not a holiday. Those are the days staff would have to choose from. It would take some marketing and advertising on staff's part. It is certainly within the Board's purview.

Mr. Cordasco asked to what degree skiing and towing activities present safety issues on its own.

Mr. Travous responded that he believes, on its own, it is a lot less. While the 100' square problem remains, there is no longer the conflict with jet skiers cutting in behind boats to go over the wake and run into a skier. That will lighten the load.

Mr. Pawlik agreed. He stated that if the mix is removed, it is much safer to ski on the lake.

Mr. Scalzo noted that there are restrictions on water skiers right now – they can't be there at certain times. He is hard pressed to understand why the Board would want to keep restricting people. In the business of public recreation, we have to be concerned that we provide some diversity and not exclude everybody. It is very easy for us in this business, and he's been in this business for 35 years, to exclude people. As he gets older, perhaps he's getting more sensitive that we need to be more inclusive and yet try to train and work with people and educate them that there are options. He feels bad when we do nothing but restrict activities. It doesn't seem fair. Unfortunately, we are cramped by the growth of our great state here; we're causing some of our own problems. Perhaps if we better educate the public and try to do other things to help them we can still have some ability to allow some activities. Right now it's restricted. He doesn't know that the Board needs to further restrict them. He is opposed to that. He will have to vote against this motion, even though he understands where Mr. Porter is coming from.

Mr. Porter stated that he fully understands what Mr. Scalzo is saying.

Chairman Stewart stated that she is obviously concerned about restricting a segment of the population; on the other hand, she is very concerned about the safety issue. She stated that she does feel that as managers the Board has an obligation not to advertise and open something up for an activity if they feel that it is inherently too small and too dangerous an activity. She has been to the lake several times and realized that visibility is not very good in terms of being able to see across the island. There were a number of people who spoke about how it is difficult for them to engage in their activities when skiing is taking place because they are concerned about danger to the paddle boats. It is indeed a problem. While it may not be popular, she is inclined to feel as Mr. Porter does. It would be easier to do nothing; she feels, however, that the Board has an obligation as managers to ensure safety first and also do as much as possible to protect the resource since it is the beginning point of Sonoita Creek Natural Area and the Coal Mine Springs Area, which were formed for the purpose of protecting those natural assets.

Mr. Pawlik commented on Mr. Hays' suggestion of limiting skiing to one day a week. He believes that might have the opposite effect in that there would be such a narrow

window that the danger would be increased. He recommended that if the Board keeps skiing that it be kept five days per week as it is now in order to keep the numbers down.

Mr. Hays asked whether 2-stroke engines are used for skiing.

Mr. Pawlik responded that there are still a lot of 2-stroke outboards on the lake. It appears that the industry is leaning towards 4-cycle now, which is much cleaner.

Mr. Hays asked if there is any advantage to limiting the lake to 4-cycle engines only.

Mr. Ream responded that he does a lot of boating. He does not have a 2-stroke engine. He noted that the newer 2-stroke engines are not nearly the polluters as the older 2-stroke engines are. It almost getting to the point of the automobile inspection. If a 2-stroke was built prior to a certain date and the Board segregated them off the lake, it would affect those people who are less able to afford a newer, more efficient 2-stroke engine. The new 2-stroke engines are designed to be less polluting all the time. They have to do that in order to be able to sell them in California. When a new boat is ordered for the agency's fleet, it is a 4-stroke for those very reasons. That is the future of boating. Staff are seeing a trend toward that. To eliminate them now would segregate a part of the society who, in some cases, fish to feed.

Mr. Cordasco referred to Mr. Hays' comment. He wanted to be clear that he is speaking from a purely safety issue in regard to the Board's decisions right now. To confuse that issue with noise and water pollution is a matter that the Board can take up in the near future. Today, he understood that the Board was discussing safety – period. All these other comments that have been coming out about the other issues are important. The Board should address those issues in the near future. It is important that Patagonia Lake has more of a mission than it has apparently has had in the past as far as what it represents within the State Parks system. The Board should discuss what that mission is and where it will be placed within the State Parks system.

Chairman Stewart disagreed with Mr. Cordasco in that the recommendation made at the meeting in Patagonia was that, based on both safety and noise, that the Board consider these three restrictions. That has been before the Board and is not new. That is why the Board is here and it is properly before the Board.

Mr. Cordasco asked how much noise. The Board got rid of the jet boats; the Board got rid of the jet skis. How much noise are we talking about now? His point is that if the Board wants Patagonia Lake to be a quiet area, whatever that means, then the Board should discuss that and what it means. Does it mean the concessions are set up to have binoculars, backpacks, bird whistles, etc.? He's not being negative. If that is the way the Board wants the lake to go and that area to fit in with the natural area at Sonoita, etc., then the Board should review it and put it in place. From the safety perspective, he feels that the Board has been told that removing the jet boats and the jet skis has significantly eliminated the safety issues.

Ms. Chilton asked how much money the park would lose if skiing were removed from the lake.

Mr. Pawlik responded that when one door is closed, another door is opened. He does not believe it would be significant. He believes that revenue would fall by less than 1%.

Mr. Travous stated that he believed revenue would drop about \$30,000 per year from people who primarily come to the lake for that reason. The power boaters and jet skiers account for another 18%. By also taking the skiing off the lake, it would be about a 25% drop. However, no one is talking about removing all boating.

Ms. Chilton stated that she would not vote to eliminate the skiing and towing. She believes that it is reasonable to allow them on the park.

Chairman Stewart called for a vote on the motion on the floor.

The motion failed with Chairman Stewart and Mr. Porter voting Aye.

Mr. Hays stated that he sympathizes with what Mr. Porter and the Chairman are saying. He would like to take the step of waiting and seeing what the effect is after next summer.

Mr. Porter stated that he does agree with Mr. Cordasco's comments. His motion was predicated almost exclusively on the safety issue. He has sympathy for the need since it's the only lake that can accommodate water skiing. He still feels it's not safe and that people will be killed on the lake. Now his concern is what Mr. Cordasco touched on.

#### **Board Action**

Mr. Porter: I move that the Board direct staff to produce a report to the Board within 12 months concerning the issue of pollution and its long-term potential effects on Patagonia Lake and to try to determine the extent to which current activities are putting the asset at risk.

Mr. Cordasco suggested that a determination needs to be made as to what Patagonia Lake is supposed to be; how it will be marketed; who the Board wants to attract to the lake; and how it participates on a regional basis in the area. Then those things like pollution will fall right into it.

Mr. Porter stated that he wished to change his motion as follows:

Mr. Porter: I move that staff produce a report within a year for the Board on the appropriate uses of Patagonia Lake.

Chairman Stewart stated that what Mr. Cordasco is getting at is whether there should be further restrictions.

Mr. Porter responded that he likes Mr. Hays' suggestion to give it a year and revisit it on the basis where the Board is looking at that lake as a total asset and what it should really be used for considering that it is a bird sanctuary, a natural area, etc. The Board needs to look at the asset itself and make long-range decisions that could certainly include the issue of water skiing or water craft.

Mr. Ream stated that staff cannot do that in 12 months for two reasons. First, the budget is very thin throughout this year already. He would have to delete something else to make room for this. He is still looking for \$60,000.

Mr. Porter asked how long it would take.

Mr. Ream responded that he could do a Request for Proposal this year. He would have money available in the next fiscal year in July to contract it out. This is not something staff have the capability of doing.

Mr. Porter asked, short-term, how long it would take.

Mr. Ream responded it would take between 18-24 months.

Mr. Porter stated he would change his motion to say within 24 months.

Mr. Porter: I move that by no later than November 2007 staff produce a report for the Board on the appropriate uses of Patagonia Lake.

Mr. Cordasco seconded the motion.

Mr. Winkleman stated that, while the Board is here today talking about Patagonia Lake State Park and he applauds Mr. Porter for doing so, he feels that the Board cannot make these decisions in a vacuum. The Board has talked before about what to do with the entire park system. He is concerned that it's easy today for the Board to sit here and focus on Patagonia Lake and just think about that park. However, it takes money and it takes time. He hates to make this decision without seeing if Patagonia is the Board's biggest priority for this kind of expenditure. The agency has a budget that won't allow everything to get done that should be done. He would rather hear from staff prior to voting on such a thing as to whether this is really the best way to spend the funds they have and just focusing on Patagonia because that's what the Board is thinking about right now. He will vote against this motion – not because he doesn't think it's worthy but because he needs to hear a prioritization on how the Board spends these precious dollars the agency has.

Chairman Stewart responded that she believed Mr. Winkleman's point is valid. She suggested it might be helpful for the Board to consider whether there should be speed restrictions. She believes one of the issues, in terms of the safety, of skiing really will have to do with how fast they go. There are other people on the lake who are fishing and trying to kayak and canoe. If the Board is not going to stop the skiing, she believes the Board needs to do as much as they can to make sure it's done in a safe environment.

Mr. Porter stated he does not disagree, however we are back into the safety issue. He believes that is just part of the picture. What Mr. Cordasco touched on was thinking of the lake as an asset. He is singling Patagonia Lake out. He is aware the Board has other issues. On Monday he will accompany the Executive Director to meet with the people in Lake Havasu to take a hard look at some very serious issues that are going with Lake Havasu State Park that the Board will have to address. He believes that Patagonia Lake is somewhat at risk for the very reason that Mr. Cordasco touched on because the Board never defined its mission. Each one of the Board's parks is unique. The Board does need to have the big picture; that's what the PAMS process is about. However, when there is a particular park that has tremendous sensitivity and could be damaged or lost in a relatively short period of time and the Board does not have a clear picture of what the best use of that park should be and what the risks are, that may be when the Board needs to take strong action. He believes that Havasu might fall in that same category.

He anticipates that in the aftermath of the upcoming meeting in Lake Havasu, there will be some things they will come back to the Board with to start trying to address what needs to be done there and plucking it out of the rest of the system because of the significant issues they are facing.

Chairman Stewart noted that, from Mr. Ream's comments, it would not be possible to have any money or to begin the RFP process until July 2006. Taking Mr. Winkleman's comments into consideration, perhaps it would be appropriate to discuss this issue system-wide at the Board's retreat in May.

Mr. Porter responded that he didn't have any heartburn with that suggestion. He, therefore, withdrew his motion.

Mr. Winkleman stated that, given the amount of effort that has gone into this and despite his concern about spending money, he highly recommended that the Park Manager from Patagonia Lake State Park come back a year from now and report on how things worked so the Board could then consider whether further action is needed.

Mr. Porter urged that that be done.

Chairman Stewart asked if staff needed a motion.

Mr. Travous responded that a motion was not necessary. Mr. Pawlik will come to the November 2006 Board meeting to report how the changes have worked at the park.

Mr. Travous noted that this is why he likes working for a board. Everyone banter things back-and-forth.

Chairman Stewart thanked the public for taking the time to come to this meeting and express their opinions to the Board. She hoped that they saw that their comments do make a difference. The Board also appreciates the public's going to the public hearings and sending in their written comments. She thanked Mr. Pawlik for his presentation and for bearing with the Board through these last three years as they struggled with what they should do. She thanked the Board members for coming to this special meeting.

#### **D. ADJOURNMENT**

Mr. Porter made a motion to adjourn. Mr. Winkleman seconded the motion. The motion carried unanimously. The meeting was adjourned at 11:35 a.m.

Pursuant to Title II of the Americans with Disabilities Act (ADA), Arizona State Parks does not discriminate on the basis of a disability regarding admission to public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the ADA Coordinator, Nicole Armstrong-Best, (602) 542-7152; or TTY (602) 542-4174. Requests should be made as early as possible to allow time to arrange the accommodation.

SUBMITTED BY:

APPROVED BY:

---

Kenneth E. Travous, Executive Director

---

Elizabeth Stewart, Chairman